

green and flavored with peppermint oil. Bacteriological examination showed that the article was not antiseptic.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard or quality under which it was sold, namely: (Carton) "Destroys Germs"; (circular) "Destroys Germs * * * It is a germicide * * * since bacteria can be killed * * * by the use of Or-Aid."

Misbranding was alleged for the reason that the following statements appearing in the labeling were false and misleading: (Carton) "Destroys Germs"; (circular) "Destroys Germs * * * It is a germicide * * * The formula contains * * * Emitine Hydro-chloride, * * * and germicidal oils * * * 'Bacteria are always present in the mouths of people from the first day of life. They develop and multiply wherever there is dead organic matter to decompose, together with warmth, moisture and darkness. The mouth offers the last three requirements for bacterial growth perfectly, and usually there is sufficient accumulation of food particles, stagnant saliva, mucous, and other material lodged between the teeth and coating both them and the tongue to furnish the dead organic matter on which the germs live. One milligram of the soft deposits scraped from the teeth of a person who keeps his mouth very clean will contain 6,000,000 bacteria, and when the teeth are allowed to get dirty and the bacteria can multiply undisturbed, this number rises until a milligram of deposit may contain 600,000,000 or more bacteria.' However, since bacteria can be killed * * * by the use of Or-Aid." Misbranding was alleged for the further reason that the following statements, regarding the curative or therapeutic effects of the article, appearing on the carton and bottle labels and in a circular shipped with the article, were false and fraudulent: (Carton) "Antitoxic * * * Pyorrhea preparation Destroys Germs, Heals Gums, Saves Teeth"; (bottle label) "Pyorrhea. Use as above until soreness of gums has sufficiently diminished to permit the dentist to clean and scale tartar from teeth * * * To prevent Pyorrhea, Or-Aid should be used as above at least twice a day, morning and evening. * * * Pyorrhea remedy * * * Antitoxic * * * For the Treatment of Pyorrhea, Trench Mouth, Bleeding Gums, Loose Teeth and Other Oral Infections * * * To Eradicate Pyorrhea"; (circular) "Pyorrhea Preparation * * * Antitoxic * * * Destroys Germs Heals Gums Saves Teeth * * * For the treatment of Pyorrhea, Trench Mouth, Bleeding Gums, Loose Teeth and other oral infections, the powerful * * * Pyorrhea Preparation, Or-Aid, is particularly effective. By its use great suffering and discomfort may be prevented and many teeth, which would otherwise have to be removed, may be saved. * * * Or-Aid destroys Pyorrhea and prevents it from making inroads on one of your most cherished possessions—your teeth. Or-Aid stimulates healthy tissues besides healing diseased tissue. It should be used daily when the mouth is free from infection to keep it in that healthy condition. It is indispensable when infection is present. * * * we recommend its use for Pyorrhea, Trench Mouth, Bleeding Gums and other oral infections. It is also fine for cuts, itches, minor skin infections * * * Pyorrhea—When the condition known as Pyorrhea has developed, the causes of the infection have penetrated deeply into the tissues and are present in large groups in pockets or recesses in the gums and around the teeth. * * * the simple technique involved in the administration of Or-Aid makes its use practical. The results being quick and satisfactory. * * * However, since * * * Pyorrhea prevented by the use of Or-Aid, why permit yourself to become a victim of it? The daily use of this powerful yet pleasant preparation will greatly minimize, if not wholly destroy chances of serious infection. Many dentists and laymen consider it an absolute preventive. * * * For the Dentist Pyorrhea * * * Trench Mouth (Vincent's Stomatitis)."

On November 15, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20353. Misbranding of Cow-Calf compound. U.S. v. The Froberg Remedy Co., and John W. Froberg. Case dismissed as to Froberg Remedy Co. Plea of guilty by John W. Froberg. Fine, \$200. (F. & D. no. 28127. I.S. nos. 15279, 24476.)

Examination of the drug preparation, Cow-Calf compound, disclosed that the article contained no ingredient or combination of ingredients capable of pro-

ducing certain therapeutic effects claimed on the bottle label and in a circular shipped with the said article.

On September 29, 1932, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Froberg Remedy Co., a corporation, and John W. Froberg, Valparaiso, Ind., alleging shipment by said defendants, under the name of Dr. W. A. Bozarth, in violation of the Food and Drugs Act, as amended, on or about February 16, 1931, and March 24, 1931, from the State of Indiana into the States of Wisconsin and Illinois, respectively, of quantities of the said Cow-Calf compound, which was misbranded.

Analysis of a sample of the article by this Department showed that it consisted essentially of phenol (2.53 grams per 100 cubic centimeters), a trace of chlorinated lime, and water.

It was alleged in the information that the article was misbranded in that certain statements, designs, and devices regarding the therapeutic and curative effects of the said article, appearing on the bottle labels and in accompanying circulars, falsely and fraudulently represented that it was effective as a treatment for the prevention of abortion; effective as a treatment, remedy, and cure for abortion; effective as a treatment for the prevention of contagious abortion; effective to stop every case of abortion; and effective to insure the birth of healthy calves.

On November 10, 1932, on motion of the Government, the information was dismissed as to the Froberg Remedy Co. A plea of guilty was entered by defendant, John W. Froberg, and the court imposed a fine of \$200.

R. C. TUGWELL, *Acting Secretary of Agriculture.*

20354. Misbranding of Ergot-Apiol. U.S. v. 34 Packages of Ergot-Apiol. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29021. Sample no. 20453-A.)

Examination of the drug product, Ergot-Apiol, disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On October 10, 1932, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 34 packages of the said Ergot-Apiol, remaining in the original unbroken packages at Bayonne, N.J., alleging that on or about September 3, 1932, the Chermak Drug Co., of Bayonne, N.J., had transported the article from the premises of the American Pharmaceutical Co., Inc., of New York, N.Y., to Bayonne, N.J., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of material derived from plants, including a nonvolatile oil such as apiol, and a volatile oil such as savin oil. It contained no ergot alkaloids.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the tin container and carton, and in a circular shipped with the article, regarding its curative or therapeutic effects, were false and fraudulent: (Tin container) "For Amenorrhea, Dysmenorrhea, and Menstrual Disorders"; (carton) "For Amenorrhea, Dysmenorrhea, and Menstrual Disorders"; (circular) "For Amenorrhea, Dysmenorrhea, and Menstrual Disorders. * * * For The Treatment of Menstrual Disorders Relieves Pain * * * for use in the treatment of Menstrual disorders. * * * Amenorrhea—When menstrual flow is absent or scanty as a result of shock, exposure, or nervous strain, 1 capsule should be given 3 times a day for 3 days, then increased to 2 capsules 3 times a day until flow has been established, when it is reduced to one capsule twice a day. Dysmenorrhea—In cases where the complaint is chronic, Ergot-Apiol should be taken a few days in advance of the period and continued until the flow has ceased. In most cases one capsule 4 times a day is sufficient, but when pain is unusually severe 2 capsules may be given 4 times a day. Monorrhagia—When the flow is excessive, resulting in weakness and lack of energy, one capsule may be administered 4 times a day. Menostasis—To re-establish the flow 2 tablets may be administered 3 or 4 times a day, in conjunction with frequent sitz baths if preferred. Menopause—* * * an aid to easing the disturbances attending final cessation of the menstrual functions."